Extradition Treaties with Foreign Countries

160.SHRI AMAR SINGH:
SHRI AJIT P.K. JOGI:
SHRI SOM PAL:

Will the PRIME MINISTER be pleased to refer to answer to Unstarred Question 1840 and Starred Question 479 given in the Rajya Sabha on the 12th March and 8th May, 1997, respectively, and state;

(a) whether Government have recently signed a treaty with the United States of America for extradition of fugitive offenders;

(b) if so, the details thereof;

(c) the names of other countries with whom India has signed such treaties and to what extent such treaties have been effective in eliminating terrorism;

(d) what are the names of the countries with whom extradition treaties are yet to be signed; and

(e) what are the names of the countries with whom such treaties are proposed to be signed during the current year?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHMATI KAMLA SINHA): (a) Yes Sir.

(b) The new extradition treaty between India and U.S.A. was signed on 25.06.1997. The treary is subject to ratification and shall enter into force on the date of the exchange of instruments of ratification between India and U.S.A. On becoming operative this treaty will replace the 1931 extradition treaty between U.S.A. and U.K., acceded to by India and currently in force between India and U.S.A. Main features of the treaty signed recently include the following;

(i) Under the treaty, each country will obligate itself to extradite fugitive offenders accused or convicted of offences punishable by more then one year in its jurisdiction.

(ii) The treaty provides procedures for either Government to arrest fugitives immediately on the request of the other Government to prevent fugitives from fleeing.

(iii) It also provides for legal basis for temporarily surrendering prisoners who stand trial for crime against the laws of the Requesting State.

(iv) The fugitives will be extraditable under the treaty regardless of their nationality.

(c) In addition to USA, Governments has signed extradition treaties with Canada, U.K., Nepal, Netherlands, Belgium, Switzerland, Bhutan and Hong Kong. The treaty with Hong Kong signed on 28.06.1997 has not yet entered into force. As extradition treaties provide for extradition of fugitive criminals who commit grave offences such as, murder, manslaughter, etc. and take shelter in other countries, the treaties are effective in deterring such terrorist activities.

(d) India has not signed extradition treaty with any country other than those specified at (c) above.

(e) The only treaty proposed to be signed this year is the Extradition Treaty with the Russian Federation, which has already been finalised and is ready for signing.

Ballistic Missile Test by Pakistan

161. SHRI AKHILESH DAS: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Pakistan has recently test-fired a Ballistic Missile which has a range of 800 Kms;

(b) whether Government propose to take appropriate counter measures to safeguard India's security in the light of the reported missile test by Pakistan; and

(c) if so, what are the details in this regard?